

Practitioner's Declat No. _____

PATENT

CONTAINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL, STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-2)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATOR

This declaration is of the following type:

(check one applicable item below)

- ☐ original
- ☐ design
- ☐ supplementary

NOTE: If the declaration is for an international application being filed as a national, continuation or continuation-in-part application, do not check next three check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following I have applied, then complete and also attach ADDED PAGES FOR DIVISIONAL CONTINUATION OR C-2.

NOTE: See 37 CFR 1.51(d) (continued prosecution application, for use of a prior nonprovisional application designation in the continuation or continuation-in-part application, but not in the case of a divisional application, a continuation-in-part application, or a design application).

- ☐ divisional
- ☐ continuation

NOTE: If a new application, division and design subject matter not disclosed in the prior application, or a continuation or divisional application, please use the following in the prior application, a continuation-in-part application must be filed under 37 CFR 1.51(d) (continued prosecution application, but not in the case of a divisional application, a continuation-in-part application, or a design application).

- ☐ continuation-in-part (C-2)

INVENTORSHIP IDENTIFICATION

WARNING:

If the inventor are each and every inventor of the above, an explanation of the form, including the statement of all the details as to the the last named inventor was made. Should be submitted.

My residence, profession address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

(Declaration and Power of Attorney—Page 1 of 2)



25-APR-2001 12:11

MELLANUX TECH. 04-959-3245

No. 3212 P. 9

TITLE OF INVENTION

PNEUMATIC COMMUNICATION SUPERFICIAL WITH DYNAMIC FLOW CONTROL

SPECIFICATION IDENTIFICATION

The specification of which:

(example (a), (b), or (c))

(c) [] is attached hereto.

NOTE: "The following combinations of information are filed in each of the following filing data with a specification are accepted as prior art for determining a specification and a claim which are of the same kind as the present specification, and which are accepted as prior art for determining a claim which is of the same kind as the present claim."

(1) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing.

"(2) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing."

"(3) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing."

"(4) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing."

(b) [] was filed on Jan 10, 2001, as [] Serial No. 09/748,029, or

[] was submitted on [] of []

NOTE: "The following combinations of information are filed in each of the following filing data with a specification are accepted as prior art for determining a specification and a claim which are of the same kind as the present specification, and which are accepted as prior art for determining a claim which is of the same kind as the present claim."

NOTE: "The following combinations of information are filed in each of the following filing data with a specification are accepted as prior art for determining a specification and a claim which are of the same kind as the present specification, and which are accepted as prior art for determining a claim which is of the same kind as the present claim."

(1) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing.

"(2) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing."

"(3) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing."

"(4) name of inventor(s), and reference to an attached specification which is not claimed to be a continuation or division of the first of invention and submitted with the first of invention on filing."

NOTE: "The following combinations of information are filed in each of the following filing data with a specification are accepted as prior art for determining a specification and a claim which are of the same kind as the present specification, and which are accepted as prior art for determining a claim which is of the same kind as the present claim."

NOTE: "The following combinations of information are filed in each of the following filing data with a specification are accepted as prior art for determining a specification and a claim which are of the same kind as the present specification, and which are accepted as prior art for determining a claim which is of the same kind as the present claim."

NOTE: "The following combinations of information are filed in each of the following filing data with a specification are accepted as prior art for determining a specification and a claim which are of the same kind as the present specification, and which are accepted as prior art for determining a claim which is of the same kind as the present claim."

(Declaration and Power of Attorney—page 2 of 3)

25-Apr-2001 12:11

MELLANOX TECH. 34-953-3245

No. 3212

P. 10

- (c) [] was described and claimed in PCT International Application No. _____
 filed on _____ and as amended under PCT Article 19 on _____
 (if any).

SUPPLEMENTAL DECLARATION (37 CFR 1.67(b))

(Complete the following where a supplemental declaration is being submitted)

- [] I hereby declare that the subject matter of the

- [] attached amendment
 [] amendment filed on _____

was part of my/our invention and was introduced before the filing date of the original
 application, above identified, for such invention.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified
 specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in
 37, Code of Federal Regulations, § 1.56.

(also check the following item, if checked)

- [] and while it was not to the examination of this application, namely, information where
 there is substantial likelihood that a reasonable Examiner would consider it important
 in deciding whether to allow the application to issue as a patent, and

in compliance with this duty, there is attached an information disclosure
 statement, to accordance with 37 CFR 1.98.

25-Apr-2001 12:12

MELLAROX TECH. 04-959-3245

No. 3212 P. 11

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

NOTES

[illegible]

I hereby declare my primary benefits under Title 35, United States Code, § 119(a)(4) of any applicable law for patent or invention certificate are of any PCT international application designating at least one country other than the United States of America, United Kingdom and have also (defined below any foreign application(s) as patent or invention certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me or one or more subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete id or ex)

- (d) no such applications have been filed.
- (e) such applications have been filed as follows:

NOTE

Pharmakom (5) is covered above and the International Application which designated the U.S. had¹ expired prior to that time (5), ends the double patent on demands for priority claim.

25-Apr-2001 12:12

MELLANOX TECH. 04-959-3245

No. 3212

P. 12

**PRIOR FOREIGN/PCT APPLICATIONS FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(e)-(f)**

COUNTRY (OR INDICATE PCT)	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(c))**

☐ I hereby claim the benefit under Title 35, United States Code, § 115(d) of any United States
provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

60 / 175,332

FILING DATE

January 10, 2000

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
UNDER 35 U.S.C. § 120**

☐ The claim for the benefit of any such applications set forth in the attached ADDED
PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P)
APPLICATION.

25-APR-2001 WED 13:00

089454550

FAX NO. 089454550

P. 07/12

25-Apr. 2001 12:12

MELLANOX TECH. 04-959-3245

No. 3212 P. 13

ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

NOTE: (If an application filed under this item is a PCT filing, providing the facts
for the application entering the United States as (1) the national stage, or (2) a continuation, divisional, or
renewal-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND FOREIGN
ATTORNEY FOR DIVISIONAL, CONTINUATION OR CLP APPLICATION for benefit of the prior U.S. or PCT
application(s) under 35 U.S.C. § 121.

25-APR-2001 12:12

MELLANOX TECH. 04-959-3245

No. 3712 P. 14

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and handle all business in the Patent and Trademark Office connected therewith.

(List name and registration number)

ROBERT A. HANDELMAN, 26179	RICHARD F. BEAU, 20141
JOHN RICHARDS, 31053	PULIAN H. COHEN, 20302
ALFRED J. STRETT, 25761	WILLIAM R. EVANS, 20158
PETER C. GALLOWAY, 27865	JANET J. CONRD, 31778
IAN C. BATTLE, 24090	CLYFORD J. MASS, 10085
THOMAS F. PETERSON, 20779	

(Check the following area, if applicable)

() Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:
(Phone and telephone number)

Ladas & Parry
26 West 61st Street
New York, N.Y. 10023

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

25-Apr. 2001 12:27

MELLANOX TECH. 04-959-3245

No.3216

P. 2

25-APR-2001 TUE 13:51

089454556

889414353

FAX NO. 089454556

P. 09/14

SIGNATURE(S)

NOTE: Completely indicate the family (or last, name, etc.) should appear on the filing envelope and should be stamped.

Full name of job or first last name

Michael
(Given Name)MICHAEL
(Last Name)

Lawyer's signature

Country of Citizenship Israel

Date 5/4/01

Residence 14 Elron Yasev, Israel

Post Office Address 11 Yeshonot Street, Yehonot Yasev, Israel

Full name of second last name, if any

Name
(Given Name)MICHAEL
(Last Name)

Lawyer's signature

Country of Citizenship Israel

Date 5/4/01

Residence Bat Shimon, Israel

Post Office Address Bat Shimon, B.N. Hof Hachaimel, Israel

Full name of third last name, if any

Name
(Given Name)MICHAEL
(Last Name)

Lawyer's signature

Country of Citizenship Israel

Date 5/4/01

Residence Tel Aviv, Israel

Post Office Address 75/2 Derech Hashalom, Tel Aviv, Israel

(Continuation of Power of Attorney Page 8 of 11)

25-Apr-2001 12:27

MELLAYOX TECH. U4-959-3245

No. 3216

F. 3

Attorney's Document No. _____

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY FOREIGN AND SUBSEQUENT INVENTORS

Full name of foreign party inventor, if any

Name

Name as typed on filing

USUAL
Foreign Patent Agent

Inventor's signature

Date

Country of citizenship, Israel

Residence

Post Office Address

Full name of sign joint inventor, if any

Name

Name as typed on filing

USUAL
Foreign Patent Agent

Inventor's signature

Date

Country of citizenship, Argentina

Residence

Post Office Address

Full name of sign joint inventor, if any

Name

Name as typed on filing

USUAL
Foreign Patent Agent

Inventor's signature

Country of citizenship

Residence

Post Office Address

(Add Page to Combined Declaration and Power of Attorney for Signature by Foreign and Subsequent Inventors (4-3))

25 Apr 2001 12:13

MELLANOX TECH. 04-953-3245

No. 3212

P. 15

(check proper box(es) for any of the following added page(s)
that form a part of this declaration)

☐ Signature for lawsuit and subsequent joint inventory. Number of pages added 1

☐ Signature by administrator(s), executor(s) or legal representative for deceased or incapacitated inventor. Number of pages added _____

☐ Signature for inventor who refuses to sign or cannot be reached by postion and/or listed under "I".
CFR 1.47. Number of pages added _____

☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) whose legal
representative cannot be appointed in time. (37 CFR 1.47)

☐ Added pages to combined declaration and power of attorney for divisional, continuation, or
combination-in-part (C-I-P) application.

☐ Number of pages added _____

☐ Authorization of practitioners to accept and follow instructions from representative.

(If no further pages form a part of this Declaration,
then end this Declaration with this page and check the following item)

☐ This declaration ends with this page

25-APR-2001 12:10

MELLANOX TECH. 04-959-3245

No. 3212 P. 5

Applicant or Provider: _____
 Serial or Patent No.: _____
 Filed or Issued: _____
 For: _____

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.90) AND (37 CFR) - SMALL BUSINESS CONCERN

I hereby declare that I am _____

[] the owner of the small business concern identified below,
 [] an official of the small business concern empowered to act on behalf of the concern
 identified below.

NAME OF CONCERN: MELLANOX TECHNOLOGIES LTD.
ADDRESS OF CONCERN: 20, Box 66, Waterbury, Vermont, 05671

Thereby declare that the above identified small business concern qualifies as a small business concern as defined in 1) CFR 1.213-11, and reproduced in 17 CFR 1.9 (b) for purposes of paying reduced fees under section 41(a) and 3) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. The purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the year periods of the fiscal year, and (2) concerns are affiliates of each other unless either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled PACSET COMMUNICATIONS METHOD AND APPARATUS
BY NAME: HARRY G. GIBSON, JR. / NAME: BILLY D. DODD / NAME: GARY A. MICHON
MAGAN, ALAN W. / NAME: DESSA C. / NAME: DODD / NAME: GARY A. MICHON

[] the specification filed herewith
 by applicant or also on _____ filed _____
 [] patent no. _____ issued _____

If the rights in the above identified small business concern are not exclusively held by individual, concern or organization having rights in the invention is filed before and no rights in the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 17 CFR 1.9 (b) or by any concern which would not qualify as a small business concern under 17 CFR 1.9 (b) or a nonprofit organization under 37 CFR 1.9 (b).
 NOTE: Separate verified statements are required from each named person, concern or organization having rights in the invention covering its that status as small, medium, or large, or 37 CFR 1.17.

FULL NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION
 I acknowledge the duty on the in this application or patent, certification of any change in status resulting in loss of entitlement to small entity status prior to paying, or the time of paying, the earliest of the same fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.261 (b)).
 I hereby declare that all statements made herein are true and that, at the time of filing, I was not aware of any information and belief of untruthfulness to the time, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that each small business statement may jeopardize the validity of the application, any pending business, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Michael Kagan
TITLE OF PERSON OTHER THAN OWNER: _____

ADDRESS OF PERSON SIGNING: Box 86, Waterbury, Vermont, 05671

SIGNATURE: [Signature] **DATE:** 3/26/01

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